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15 UNITED STATES DISTRICT COURT
16 FOR THE CENTRAL DISTRICT OF CALIFORNIA
17 WESTERN DIVISION

18 UNITED STATES *ex rel.* SINGH,
19 Plaintiff,
20 v.
21 PAKSN, INC., *et al.*,
22 Defendants.

No. CV 15-09064 SB (AGR_x)

**JOINT NOTICE REGARDING
SETTLEMENT DISCUSSIONS**

Trial Date: Nov. 20, 2023

Honorable Stanley Blumenfeld, Jr.
United States District Judge
Courtroom 6C

1 Pursuant to the Court's August 25, 2023 Chambers Order, *see* ECF No. 434, the
2 parties respectfully submit this updated joint status report regarding their settlement
3 discussions to date.

4 The parties incorporate the background information previously detailed in their
5 August 4, 11, and 25 Joint Status Reports, *see* ECF Nos. 427, 430, 433.

6 **STATEMENT OF UNITED STATES AND DEFENDANTS**

7 On September 1, 2023, the United States and Defendants reached a handshake
8 agreement on a proposed settlement in principle, under which the parties would file a
9 proposed consent judgment with this Court and certain defendant entities would agree to
10 make scheduled payments over time to the United States. Before being able to finalize
11 and effectuate such an agreement, however, government counsel will need to secure
12 formal approval of the settlement from the Department of Justice, the U.S. Attorney's
13 Office for the Central District of California, and the Department of Health and Human
14 Services – Office of Inspector General.

15 Additionally, Relator has indicated that he will object to the proposed settlement
16 and request a hearing pursuant to 31 U.S.C. § 3730(c)(2)(B) to assess whether the
17 proposed settlement is fair, adequate, and reasonable under the circumstances, as well as
18 to pursue discovery into the financial disclosures that Defendants submitted to the
19 United States for purposes of these ability-to-pay settlement negotiations. Magistrate
20 Judge Rosenberg initially scheduled a fourth settlement conference for August 29, to
21 address Relator's concerns in the event that the United States and Defendants had
22 reached a handshake agreement by that point. As there was no handshake agreement at
23 that time, at the parties' request, Judge Rosenberg postponed that conference to
24 September 5. *See* ECF No. 435.

25 The parties are filing, the same day as this Joint Notice, a stipulated request for a
26 stay of proceedings to allow the following to occur: (1) government counsel to seek the
27 necessary authority to enter the parties' proposed settlement agreement; (2) government
28 counsel and defense counsel to draft language for the proposed settlement agreement;

1 (3) Judge Rosenberg to attempt to mediate Relator's concerns and objections relating to
2 the proposed settlement; and (4) Relator to pursue his objections to the settlement to the
3 extent he still wishes to do so. Relator takes no position on the request for a stay sought
4 by the Government and Defendants.

5 **STATEMENT OF PLAINTIFF-RELATOR**

6 As relayed by Plaintiff-Relator on August 25, 2023 in ECF 433, given the nature
7 of the proposed settlement concocted by the Government and Defendants without any
8 input or agreement or consent from the Plaintiff-Relator and the very nature of the
9 proposed settlement as relayed to the Plaintiff-Relator by the assigned Magistrate Judge,
10 the Plaintiff-Relator reiterates his objection to the proposed settlement and will request a
11 "fairness hearing" pursuant to 31 U.S.C. § 3730(c)(2)(B) and authorization for pointed
12 discovery in advance of the "fairness hearing." Despite Plaintiff-Relator's repeated
13 requests for production of the documents shared between the Defendants and
14 Government as part of their proposed settlement, Plaintiff-Relator has yet to receive any
15 documentation except for tax lien documents; all of which were apparently utilized by
16 the Government and Defendants in concocting their proposed settlement.

17 *Local Rule 5-4.3.4(a)(2)(i) Compliance: Filer attests that all other signatories*
18 *listed concur in the filing's content and have authorized this filing.*
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Respectfully submitted,

Dated: September 1, 2023

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Dated: September 1, 2023

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/s/ Matthew Coman

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1 Dated: September 1, 2023

2 NAOMI CHUNG
3 BRENDAN HICKEY
4 Hickey & Chung LLP

5 /s/ Naomi Chung

6 *Attorneys for Defendants Prema Thekkek, Paksn,*
7 *Inc., Kayal, Inc., Nadhi, Inc., Oakrheem, Inc.,*
8 *Bayview Care, Inc., Thekkek Health Services, Inc.,*
9 *Aakash, Inc., and Nasaky, Inc.*